

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas

JUL 18 2016

Brett Michael Blasirue
Petitioner

v.

Warden Dallas Jones

Respondent

(name of warden or authorized person having custody of petitioner)

BY
DEPUTY _____

Case No.

1:16 CV 288

(Supplied by Clerk of Court)

TH/KG

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Brett Michael Blasirue
- (b) Other names you have used: _____
2. Place of confinement:
 - (a) Name of institution: FCI Beaumont medium
 - (b) Address: 5830 Knauth Road (77705) P.O. Box 26040 Beaumont Texas 77720
 - (c) Your identification number: 68872-097
3. Are you currently being held on orders by:

☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
4. Are you currently:

☐ A pretrial detainee (waiting for trial on criminal charges)

☒ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

 - (a) Name and location of court that sentenced you: _____
 - (b) Docket number of criminal case: _____
 - (c) Date of sentencing: _____

☐ Being held on an immigration charge

☐ Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:

- ☒ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)
- ☐ Pretrial detention
- ☐ Immigration detention
- ☐ Detainer
- ☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- ☒ Disciplinary proceedings
- ☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Discipline Hearing, here at FCI Beaumont
medium

(b) Docket number, case number, or opinion number: Incident Report #:2657863

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

The loss of Forty One (41) days Good Conduct Time

(d) Date of the decision or action: 12/15/2014

Your Earlier Challenges of the Decision or Action

7. First appeal

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: South Central Regional Office for the
federal Bureau of prisons.

(2) Date of filing: 1/8/2015

(3) Docket number, case number, or opinion number: 806032-R1

(4) Result: See Denial See Exhibit A

(5) Date of result: 2/4/2015

(6) Issues raised: The NIK test kit misidentified the sage in my medicine bag.

The staff here retested the sage and found out that it was not K2, but are
incapable of rectifying this injustice.

(b) If you answered "No," explain why you did not appeal: _____

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☒ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: Central Office in Washington D.C. for the Bureau of Prisons.

(2) Date of filing: 3/23/2015

(3) Docket number, case number, or opinion number: 806032-A1

(4) Result: Denied

(5) Date of result: June 10, 2015

(6) Issues raised: Same as the first appeal, See Exhibit 'A'

(b) If you answered "No," explain why you did not file a second appeal: _____

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: There is not a third level
level to the appeal process, the Central Office is the highest authority in the BOP.
the BOP.

10. Motion under 28 U.S.C. § 2255

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes ☐ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes ☐ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes ☐ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: _____
- _____
- _____
- _____
- _____
- _____
- _____

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☐ Yes

☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: _____
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☐ No

If "Yes," provide:

- (1) Date of filing: _____
- (2) Case number: _____
- (3) Result: _____
- (4) Date of result: _____
- (5) Issues raised: _____
- _____
- _____
- _____
- _____

- (d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☐ No

If "Yes," provide:

- (1) Name of court: _____
- (2) Date of filing: _____
- (3) Case number: _____

- (4) Result: _____
(5) Date of result: _____
(6) Issues raised: _____

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes ☐ No

If "Yes," provide:

- (a) Kind of petition, motion, or application: _____
(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____
(d) Docket number, case number, or opinion number: _____
(e) Result: _____
(f) Date of result: _____
(g) Issues raised: _____

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: That my Due Process rights were violated, in that I was persecuted
because of my religious beliefs.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

I was practicing my religious beliefs, with my Medicine Bag around my neck when
officer Russell, begun harassing me. He has harassed me and others of my religious
belief before. He took my Medicine Bag and tested the Sage that I keep in the bag
it gave a false positive for amphetamines. The sage was latter sent out and tested
at a laboratory which came back that the substance was in fact not amphetamines.

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes

☐ No

GROUND TWO: That my Due Process rights are being violated since the staff here
at FCI Beaumont refuses to admit that they made a mistake and that I am being
punished for a violation that I did not commit.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

The Warden Told my Case Manager to "fix this", meaning that he should expunge
this incident report, because of the lab results clearing me of this violation
but he has yet to follow those orders. I am being punished for an infraction
that the staff here know that I am no guilty of and yet they refuse to do anything
anything about this in justice.

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes

☒ No

GROUND THREE:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☐ No

GROUND FOUR:

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: I did not present Ground Two in the appeals because of the fact that I did not find out about the lab results until after the appeal process was over.

Request for Relief

15. State exactly what you want the court to do: I simply want my Good Conduct Time restored, which totals to Forty One (41) days.

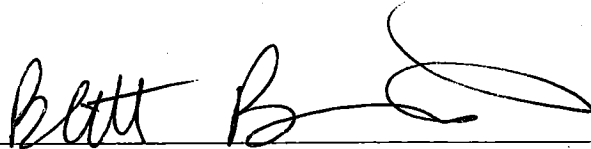
Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date:

6-30-16

A handwritten signature in black ink, appearing to be 'Bett B' followed by a large, stylized flourish.

Signature of Petitioner

Signature of Attorney or other authorized person, if any

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-DIR-9 and BP-DIR-10, including any attachments must be submitted with this appeal.

From: Blasirue, Brett 68872-097 KB FCI Beaumont medium
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A—REASON FOR APPEAL I am contesting the Incident Report numbered 2657863. The leafy substance that was in the 'Medicine Bag' was a mixture of Sage, Frankincense, Myrrh, and salt. It gave a false positive on the NIK (Narcotics Identification Kit), which is notoriously inaccurate and not admissible in a Court of law as irrefutable evidence. That is why the Program statement 6060.0 states that, "An initial positive test is confirmed by a second test before it is reported to the institution." The reason for the second test is the fact that the NIK tests are not reliable as a sole source to find someone guilty, beyond a reasonable doubt. Also, the Incident Report stated that the Operations Lt. Hester tested the substance but the actual person that tested the substance was Officer Russell, who is not qualified to use this test.

I am allowed to use this mixture at the outside religious area, which I was in before C/O Russell pat searched me. The mixture is in observance of my religious beliefs and therefore allowed by the Bureau of Prisons and the United States Code Service. These items are in our religious locker right at this moment, this is where I got these items from.

The resolution that I am seeking is for this substance to be sent to the lab and a complete analysis done.

3-4-15
DATE

BGAS BQ
SIGNATURE OF REQUESTER

Part B—RESPONSE

RECEIVED
MAR 23 2015
Administrative Remedy Office
Federal Bureau of Prisons

DATE

ORIGINAL: RETURN TO INMATE

GENERAL COUNSEL

CASE NUMBER: 806032-A1

Part C—RECEIPT

CASE NUMBER: _____

Return to: _____

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: _____

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL



Regional Administrative Remedy Appeal

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-DIR-9 including any attachments must be submitted with this appeal.

From: Blasirue, Brett M. 68872-097 KB FCI Beaumont medium
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A—REASON FOR APPEAL I am contesting the Incident Report numbered 2657863. The leafy substance that was in the 'Medicine Bag' was a mixture of Sage, Frankincense, Myrrh, and salt. It gave a false positive on the NIK (Narcotics Identification Kit), which is notoriously inaccurate. This is why the Program Statement 6060.08 states that, "An initial positive test is confirmed by a second test before it is reported to the institution." The reason for the second test is the fact that the NIK tests are not reliable as an only source to find someone guilty with a Urine analysis. This NIK test is designed to test urine, but in this case Officer Russel used a substance, which this Kit is not designed to do and came up with the only evidence against me. Also, the incident Report stated that the Operations Lt. Hester tested the substance but the actual person who did the test was Officer Russell.

I am allowed to use this mixture at the outside religious area, which I was in before Officer Russel pat searched. The mixture is in observance of my religious belief and allowed by the Bureau of Prisons and the United States Code Service. These items are in our locker right at this moment and I have access to the afore mentioned items. That is were I procured them from.

Officer Russel has a history of finding these herbs on Wiccas and testing them himself. He is not IDC Certified as per P.S. 5270.09 and therefore should not be using the NIK tester. Officer Russel waited at the outdoor religious service when the Wiccas were participating in our services.

PAGE ONE OF TWO

1-8-15
DATE

BUTTA B

SIGNATURE OF REQUESTER

Part B—RESPONSE

Received

JAN 15 2015

Bureau of Prisons
Legal Department, SCRO

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 806033-11

Part C—RECEIPT

CASE NUMBER: _____

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

PAGE TWO OF TWO

This points to a clear and determined vendetta against the Wicca population. At the time I was given the Incident Report and when I went to DHO I requested that the substance be sent to the lab and retested.

Any one of these facts should be enough to overturn this Incident Report and finding of guilt by the DHO Ms. Lacy. The resolution that I am seeking is for the Incident Report numbered 2657863 to be expunged from my record and the Good Time Credit to be reinstated.

DISCIPLINE HEARING OFFICER REPORT
U.S. DEPARTMENT OF JUSTICE

BP-S305.052 MAY 94
FEDERAL BUREAU OF PRISONS

| | | | | |
|--|---|-------------------------|-----------|----------------|
| INSTITUTION | FCC Beaumont Medium | INCIDENT REPORT NUMBER | | 2657863 |
| INMATE NAME | Blasirue, Brett | REG NO | 68872-097 | UNIT KB |
| DATE OF INCIDENT | 12-04-2014 | DATE OF INCIDENT REPORT | | 12-04-2014 |
| OFFENSE CODE(S) | 113 | | | |
| SUMMARY OF CHARGES | Possession of any Narcotics, Marijuana, Drugs, Alcohol, Intoxicants or Related Paraphernalia not Prescribed for the Individual by the Medical Staff | | | |
| I. NOTICE OF CHARGE(S) | | | | |
| A. Advanced written notice of charge (copy of Incident Report) was given to inmate on (date) 12-04-2014 at (time) 8:25 (by staff member) D. Hadnot | | | | |
| B. The DHO Hearing was held on (date) 12-11-2014 0825 | | | | |
| C. The inmate was advised of his/her rights before the DHO by (staff member) S. Allen on (date) 12-5-2014 and a copy of the advisement of rights form is attached. | | | | |
| II. STAFF REPRESENTATIVE | | | | |
| A. Inmate waived right to staff representative. | | Yes: | X | No: |
| B. Inmate requested staff representative and appeared. | | | | |
| c. Requested staff representative declined or could not appear but inmate was advised of option to postpone hearing to obtain another staff representative with the result N/A | | | | |
| D. Staff representative | | N/A | | was appointed. |
| E. Staff representative Statement: N/A | | | | |
| III. PRESENTATION OF EVIDENCE | | | | |
| A. Inmate | ADmits | NEITHER | X | the charges. |
| B. Summary of inmate statement: | | | | |
| Inmate stated, "decline to make a statement." | | | | |
| 1. The inmate requested witness(es). | | Yes: | No: | X |
| 2. The following persons were called as witnesses at this hearing and appeared. (Include each witnesses' name, title, reg number and statement as appropriate.) | | | | |
| N/A | | | | |
| 3. The following persons requested were not called for the reason(s) given: | | | | |

DISCIPLINE HEARING OFFICER REPORT
U.S. DEPARTMENT OF JUSTICE

BP-S305.052 MAY 94
FEDERAL BUREAU OF PRISONS

N/A

4. Unavailable witnesses were requested to submit written statements and those statements received were considered.

Yes

No

N/A

X

D. Documentary Evidence: In addition to the Incident Report and Investigation, the DHO considered the following documents:

1. Photo
2. Chain of Custody Log

E. Confidential information was used by DHO in support of his findings, but was not revealed to the inmate. The confidential information was documented in a separate report. The confidential information has been (confidential informants have been) determined to be reliable because: N/A.

IV. FINDINGS OF THE DHO

x A. The act was committed as charged.

B. The following act was committed:

C. No prohibited act was committed: Expunge according to Inmate Discipline PS.

V. SPECIFIC EVIDENCE RELIED ON TO SUPPORT FINDINGS (Physical evidence, observations, written documents, etc.)

The inmate's due process rights were read and reviewed by the DHO to the inmate. The DHO confirmed the inmate received a copy of the incident report, did not want a staff representative, did not want witnesses, and had no documentary evidence to present. The inmate understood his due process rights and was ready to proceed with the disciplinary process.

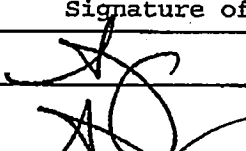
The DHO finds that inmate Blasirue, Brett, Register 68872-097, was in Possession of any Narcotics, Marijuana, Drugs, Alcohol, Intoxicants or Related Paraphernalia not Prescribed for the Individual by the Medical Staff in violation of code 113. The DHO relies upon the reporting officer's eyewitness statement; On 12-04-2014 at approximately 6:15 p.m., while conducting a pat search on inmate Blasirue, Brett Reg. 68872-097 on the compound in front of recreation, I discovered that he had a brown leather bag tied to a lanyard around his neck. Upon further investigation, I found that the bag was filled with an unidentified green leafy substance. I took the substance to the lieutenant's office where it was tested by the Operations LT using the "Nik Test Kit A" in which it tested positive for Amphetamine.

The DHO draws adverse inference towards the inmate for declining to address the charge.

Based upon these facts, the DHO is convinced that inmate Blasirue, Brett, Register Number 68872-097 was in Possession of any Narcotics, Marijuana, Drugs, Alcohol, Intoxicants or Related Paraphernalia not Prescribed for the Individual by the Medical Staff in violation of code 113. The DHO based her decision on the greater weight of the evidence. The officer found a bag was filled with an unidentified green leafy substance. The DHO finds the reporting staff to be credible, with no reason to falsely accuse the inmate. You did not provide any evidence to refute the charge. Possessing intoxicates is not warranted nor will it be tolerated in this secure environment.

DISCIPLINE HEARING OFFICER REPORT
U.S. DEPARTMENT OF JUSTICE

BP-S305.052 MAY 94
FEDERAL BUREAU OF PRISONS

| VI. SANCTION OR ACTION TAKEN | | | | | | | |
|--|----------|--|-----------|-----|------------|----|---|
| Disallow Good Conduct Time | 41 days | | Suspended | Yes | | No | X |
| Forfeit Non-Vested GCT | | | Suspended | Yes | | No | |
| Disciplinary Segregation | 30 days | | Suspended | Yes | | No | X |
| Loss of Commissary Privileges | 180 days | | Suspended | Yes | | No | X |
| Loss of Telephone Privileges | | | Suspended | Yes | | No | |
| Loss of Visitation Privileges | 180 days | | Suspended | Yes | | No | X |
| Loss of Email Privileges | | | Suspended | Yes | | No | |
| Previously suspended sanction being executed | Yes | | No | | Report # | | |
| Recommendation by the DHO: N/A | | | | | | | |
| VII. REASON FOR SANCTION OR ACTION TAKEN | | | | | | | |
| The sanctions are for the express purpose of holding you accountable for violating the rules and to deter you, and others, from this type of misconduct in the future. The disallowance of Good Conduct Time was used to comply with mandatory sanctioning guidelines for a PLRA sentenced inmate. The other sanctions are for the express purpose of holding you accountable and to deter you from this type of misconduct in the future. | | | | | | | |
| VIII. APPEAL RIGHTS: The inmate has been advised of the findings, specific evidence relied on, action and reasons for the action. The inmate has been advised of his right to appeal this action within 20 calendar days under the Administrative Remedy Procedure. A copy of this report has been given to the inmate. | | | | | | | |
| | | Yes | X | No | | | |
| IX. DISCIPLINE HEARING OFFICER | | | | | | | |
| Printed Name of DHO | | Signature of DHO | | | Date | | |
| S. L. Lacy | |  | | | 12/15/2014 | | |
| Report delivered to inmate: | | | | | 12/22/15 | | |

(This form may be replicated in WP)

Replaces BP-304(52) of JAN 88

Part I - Incident Report

| | | | |
|--|---------------------------------|-----------------------------------|-------------------|
| 1. Institution: FCC BEAUMONT - MED #2657863 | | | |
| 2. Inmate's Name Blasirue, Brett | 3. Register Number 68872-097 | 4. Date Of Incident 12-04-2014 | 5. Time 6:15PM |
| 6. Place Of Incident Compound in front of Recreation | 7. Assignment Bakery SS | 8. Unit KB | |
| 9. Incident: Possession of any narcotics, marijuana, drugs, Alcohol not prescribed for the individual by medical staff | | 10. Prohibited Act Codes(s): 113 | |
| 11. Description Of Incident (Date: 12-04-2014 Time: 6:15 PM Staff became aware of incident) | | | |

On 12-04-2014 at approximately 6:15 PM, while conducting a pat search on inmate Blasirue, Brett Reg#68872-097 on the compound in front of recreation, I discovered that he had a brown leather bag tied to a lanyard around his neck. Upon further investigation, I found that the bag was filled with an unidentified green leafy substance. I took the substance to the lieutenant's office where it was tested by the Operations LT using the "Nik Test Kit A" in which it tested positive for Amphetamine.

| | | |
|--|------------------------------|--|
| 12. Typed Name/Signature of Reporting Employee L. Russell C.O. / <i>[Signature]</i> | | 13. Date And Time 12-04-2014 8:03 PM |
| 14. Incident Report Delivered To Above Inmate by <i>D. Hester / [Signature]</i> | 15. Date Incident 12-4-14 | 16. Time Incident 8:25pm |

Part II - Committee Action

17. Comments Of Inmate To Committee Regarding Above Incident
no comment

| | |
|--|---|
| 18. A. It Is The Finding Of The Committee That You: ____ Committed The Following Prohibited Act. ____ Did Not Commit A Prohibited Act. ____ Committed Prohibited Act Code(s): _____ | B. <input checked="" type="checkbox"/> The Committee Is referring the charge(s) to the DHO for further hearing. C. _____ The Committee advised the inmate of its finding and of the right to file an appeal within 20 calendar days. |
|--|---|

19. Committee Decision Is Based on Specific Evidence as Follows:

Referred to DHO - Code 113 PARA.

20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act)

loss GCT, loss privileges, DS

| | | |
|--|------------------------------|------------------------------|
| 21. Date And Time Of Action <i>12-5-14 511P</i> (The UDC Chairman's Signature certifies who sat on the UDC and that the completed report accurately reflects the UDC proceedings.) | | |
| <i>S. Allen [Signature]</i> Chairman (Typed Name/signature) | _____ Member (Typed Name) | _____ Member (Typed Name) |

U.S. DEPARTMENT OF JUSTICE


FEDERAL BUREAU OF PRISONS

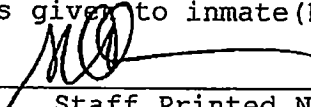
Institution: FCC BEAUMONT (MED)

As an inmate charged with a violation of Bureau of Prisons rules or regulations referred to the Discipline Hearing Officer (DHO) for disposition, you have the following rights:

1. The right to have a written copy of the charge(s) against you at least 24 hours prior to appearing before the Discipline Hearing Officer;
2. The right to have a full-time member of the staff who is reasonably available to represent you before the Discipline Hearing Officer;
3. The right to call witnesses (or present written statements of unavailable witnesses) and to present documentary evidence in your behalf, provided institutional safety would not be jeopardized;
4. The right to present a statement or to remain silent. Your silence may be used to draw an adverse inference against you. However, your silence alone may not be used to support a finding that you committed a prohibited act;
5. The right to be present throughout the discipline hearing except during a period of deliberation or when institutional safety would be jeopardized. If you elect not to appear before the DHO, you may still have witnesses and a staff representative appear on your behalf;
6. The right to be advised of the DHO's decision, the facts supporting that decision, except where institutional safety would be jeopardized, and the DHO's disposition in writing; and,
7. The right to appeal the decision of the DHO by means of the Administrative Remedy Procedure to the Regional Director within 20 calendar days of notice of the DHO's decision and disposition.

I hereby acknowledge that I have been advised of the above rights afforded me at a hearing before the Discipline Hearing Officer. I have further been advised that if I have previously received either a presumptive or effective parole date from the Parole Commission, a finding by the DHO that I committed the prohibited act(s) may result in a rescission or retardation by the Parole Commission of the presumptive or effective parole date.

Signed:  Reg. No.: 68872-097 Date: December 5, 2014
Inmate Signature

Notice of rights given to inmate (Date/time): 12-05-14 510p
by: S. Allen 
Staff Printed Name/Signature

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

FCC BEAUMONT (MED)

Institution

December 5, 2014

Date _____

TO: BLASIRUE, BRETT

Reg. No.: 68872-097

ALLEGED VIOLATION(S): POSSESSING DRUGS/ALCOHOL

DATE OF OFFENSE: 12-04-14

Code No.: 112

You are being referred to the DHO for the above charge(s).

The hearing will be held on: NEXT AVAILABLE at (A.M./P.M.) at the following location:
DOCKET

You are entitled to have a full-time staff member represent you at the hearing. Please indicate below whether you desire to have a staff representative, and if so, his or her name.

I (do) _____ (do not) ☒ wish to have a staff representative.

If so, the staff representative's name is:

You will also have the right to call witnesses at the hearing and to present documentary evidence in your behalf; provided, calling your witnesses will not jeopardize institutional safety. Names of witnesses you wish to call should be listed below. Briefly state to what each proposed witness would be able to testify.

I (do) _____ (do not) ✓ wish to have witnesses.

NAME: _____ Can Testify to: _____

NAME: _____ Can Testify to: _____

NAME: / Can Testify to:

The Discipline Hearing Officer will call those witnesses (Staff or Inmate) who are reasonably available, and who are determined by the DHO to have information relevant to the charge(s). Repetitive witnesses and repetitive character references need not be called. Unavailable witnesses may be asked to submit written statements.

If additional space is needed, use the reverse side of this form. Date, sign, and return this form to the DHO.

DATE: December 5, 2014

SIGNATURE: X

Notice of hearing before DHO given inmate 12-05-14 by

12-05-14
910P
Date/Time

S. Allen

Staff Printed Name/Signature

(This form may be replicated via WP)

Replaces BP-294(52) of JAN 88

KK 209

DHO ASSISTANT WORKSHEET

NAME: Blasieue REG. #: 68872.097 I.R. # 2657863

HEARING DATE: 12-11-14 TIME: 825 (A.M.) / P.M. CODE(S): 113

INMATE RCVD A COPY OF I.R.: ☒ YES / NO INMATE UNDERSTANDS HIS RIGHTS: ☒ YES / NO

INMATE REQUESTED STAFF REP.: YES / ☒ NO INMATE REQUESTED WITNESS: YES ☒ NO

DHO HEARING WAS TRANSLATED BY: _____

ADMITS / DENIED / ☒ NEITHER / INMATE REFUSED TO APPEAR AT THE DHO HEARING

SUMMARY OF INMATE STATEMENT: _____

decline to make a statement

I/M WAIVED STAFF REP AT THE DHO HEARING _____ I/M WAIVED WITNESS AT THE DHO HEARING _____

STATEMENT OF STAFF REPRESENTATIVE / WITNESS

STAFF REP _____

WITNESS _____

INMATE DID COMMIT THE PROHIBITED ACT OF CODE(S): 113 DDC

41 GCT

FF NVGCT

30 DS - SUSP

EXECUTED I.R.#

DISC. TRANSFER

RESTR. QTRS.

Restriction will start upon i/releases from SHU)

MONT. RESTITUTION

IMPOUND PERS. PROP.

____ (months) ____ (days) LOC

6 (months) ____ (days) LOT 12-11-14 - 6-8-15

____ (months) ____ (days) EMAIL +

6 (months) ____ (days) LOV 11 11 11 6-8-15

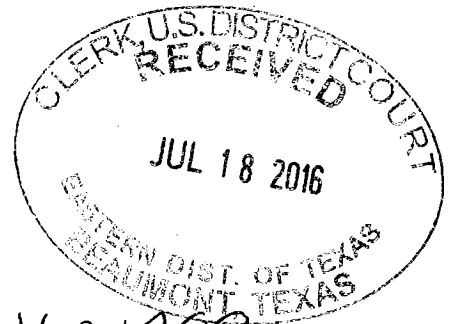
____ (months) ____ (days) LOVRS

(Immediate Family Visit only-LOW, MED(contact visit)USP(non contact)

____ (days) LOM (____ a.m. to ____ p.m.)

LOJ (F.S. FAC. UNICOR WAREHOUSE)

Brett Michael Blasirue
68872-097
P.O. Box 26040
Beaumont, Texas 77720




Clerk of the Court
300 Willow Street
Beaumont, Texas 77701

Dear Clerk of the Court;

I am submitting the following petition to this Court in order to pursue this incident and to seek justice. I would ask that this Court file this petition and send a copy to the government since I do not have that address thank you.

I look forward to hearing from you and this Court. Thank you for your time and consideration in this matter.

Respectfully Submitted,


Brett Michael Blasirue